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DISTRICT RULES

NB – Words outlined in bold type in the District Rules have a specific definition contained in Chapter 2 (Definitions).

RULE A – GENERAL

RULE A1 – CONSENT PROCEDURES

A1.1 Introduction

The Plan’s rules aim to avoid, remedy or mitigate the adverse environmental effects of any use of land and any associated natural and physical resources for which the Council has responsibility under the Act. This includes the effects of development or protection of land, subdivision, and any activities on the surface of rivers and lakes.

The term ‘rule’ applies to any control used within the District Plan. The main system used is to classify activities into categories with different levels of control, depending on their actual or potential effects. The Plan Rules also contain standards which land uses and subdivisions must meet. The controls and standards are different for each zone.

People applying for a land use or subdivision consent may also need resource consents from the Regional Council. For example a project could require a subdivision consent for a proposed new lot, a land use consent for a factory on the new lot, a water permit to put down a bore, and a discharge permit to dispose of effluent.

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A1.2 Information Requirements For Resource Consent Applications and Designations

A1.2.1 Certificates of Compliance

An application for a Certificate of Compliance must include sufficient detail to assess whether the proposal complies fully with this Plan.

Plans of existing or new buildings at an appropriate scale may be required, showing internal floor layout, elevations of the building, property boundaries and other buildings.

A1.2.2 Land Use Consent Applications

A) Information to be Provided

- i) All applications shall be in the proper form, and should explain:
 - a) Who is making the application, and the location of the site concerned.

- b) The nature, staging, and physical extent of the proposed activity.
- c) Relevant operational matters, staff numbers, traffic, access and parking information.
- d) Landscaping and screening proposals.
- e) The actual or potential effects that the activity may have on the **environment**.
- f) The ways in which any adverse environmental effects may be mitigated.
- g) Any other resource consents that the activity may require, and whether or not such consents have been applied for.
- h) Any resource consent application pertaining to noise attenuation shall be accompanied by the following additional information:
 - Identification of the method of construction to be used for the purpose of noise attenuation; and,
 - Relevant documentation which confirms that the method identified will achieve the insulation ratings specified.

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NB - Insufficient information may delay the processing of an application.

- ii) Changes to the design and other details of a notified application may be made before the end of a hearing, but only if the amendments are within the scope of the original application. If the changes go beyond that scope, such as by increasing the scale or intensity of the proposed activity, or by changing the character or effects of the proposal, a fresh application will be required.
- iii) Applications for land use consent should usually include a set of drawings to explain the proposal. These drawings must be accurate, legible and capable of being readily copied, and should show, as applicable:
 - a) Site location, with road name, property boundaries, and north point.
 - b) Site plan at an appropriate scale, showing:
 - The location of all existing and proposed buildings and structures (including any verandahs, decks, eaves and balconies).
 - The position of any easements, and existing and proposed services.
 - The position of parking and loading spaces, and proposed access and manoeuvring areas, including the location of any vehicle crossings.
 - Levels on boundaries and around any buildings, plus ground contours if the site is steeper than 1 in 10.

- Proposed retaining walls, excavations and fill.
 - Existing trees and areas of vegetation, and proposed landscaping.
 - Watercourses within the site and proposals to manage stormwater and effluent.
- c) A floor plan of each building at an appropriate scale, showing the internal layout of the building and the use of rooms or parts of a floor.
- d) Elevations of each building at an appropriate scale, showing:
- The external appearance of the building (including windows and doors).
 - The number of floors.
 - Building **heights** and distance to any property boundary.
 - How this Plan’s **height** controls apply to the building.
 - Original and new ground levels underneath proposed buildings.

B) Assessment of Environmental Effects

- i) Any assessment of environmental effects supplied with an application must provide enough information for anyone to understand the actual or potential effects (both positive and negative) of that activity on the **environment**, and the ways in which any adverse effects will be mitigated. The level of detail shall correspond with the scale and significance of those effects.
- ii) If the application is for a controlled activity or restricted discretionary activity, the assessment need only cover the matters over which **Council** has retained discretion.
- iii) An assessment of environmental effects should include the following, as appropriate:
- a) A description of the site and its neighbourhood
 - b) A description of the proposed activity, and, if the activity may have significant adverse environmental effects, the reasons for selecting the proposed site, scale and type of activity.
 - c) A review of the resource management policies which apply to the proposal.
 - d) An assessment of the actual or potential effects on the **environment** of the activity, including adverse effects, benefits and cumulative effects, particularly:
 - Any physical effect on the locality, including landscape and visual effects, noise, and any effects on natural hazards.

- Any effect on ecosystems, including effects on animals or plants and disturbance of habitats.
 - Any effect on **heritage places**, items listed in Historic Heritage Schedules 4a, 4b and the Notable Trees Schedule, **natural areas** or other places of special value to present and future generations. [PCH(a), PCH(b)]
 - Any effect on nearby people and the wider community, including any socio-economic and cultural effects and impacts upon **amenity values**.
 - Any effect on the efficiency of transportation, communications, and public services.
 - The effect of any discharge into the environment, (subject to any Regional Plan).
 - An assessment of any risks to the environment (particularly the health and safety of people) arising from any use of hazardous substances.
- e) A description of the mitigation measures (including monitoring, safeguards and contingency plans where relevant) to help prevent or reduce any adverse environmental effects, including an explanation of why these mitigation measures were preferred to others.
- f) A list of persons interested or affected by the proposal, the consultation undertaken, and the results of this consultation.
- g) A description of how the activity's effects are to be monitored and by whom.

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A1.2.3 Subdivision Consent Applications

- A) All applications shall be in the proper form and should include:
- i) The information required under Section 219 of the Act, namely:
 - a) The position of all new boundaries.
 - b) The size of all new allotments, except in the case of cross lease, company lease, or unit plan subdivisions.
 - c) The location and size of existing and proposed reserves, including any **esplanade reserves**.
 - d) The location of existing and proposed **esplanade strips**.
 - e) The location and size of any land below mean high water springs of the sea, or of any part of the bed of a river or lake, which is required under section 237A of the Act to be shown on a survey plan as land to be vested in the Crown.

- f) The location and areas of land to be set aside as new road.
- g) The extent to which connections to electricity, gas and telecommunication networks are available to service the needs of the development and/or subdivision.
- ii) Plans drawn to scale, legible and capable of being readily copied. The plans must show, as appropriate:
 - a) The address and legal description of the property.
 - b) The position of any new covenant boundaries for cross-lease and unit title subdivisions.
 - c) The location of any proposed easement.
 - d) Abutting and underlying title boundaries, and existing building line restrictions and easements.
 - e) The balance area of the property to be subdivided showing proposals for future development (if known).
 - f) Contours or spot heights sufficient for the design of access and services, and to show the general topography of the area, particularly around proposed house sites.
 - g) Any features to be protected, including vegetation or trees.
 - h) The main topographic features, including water courses, trees and areas of filled ground.
 - i) Existing and proposed provision for stormwater and farm drainage, and sewage disposal. For unsewered areas, evidence may be required that sewage can be adequately disposed of in an environmentally acceptable manner, without risk to health.
 - j) Existing structures (including buildings), and whether such structures will be retained, shifted or removed.
 - k) Existing and proposed roads, vehicle crossings, pedestrian accessways, and service lanes with relevant widths, areas and gradients.
 - l) In urban situations, the proposed location, size and grades of all **utilities**.
 - m) Proposed areas of excavation and fill, with finished contours where significant alterations to the ground surface are proposed.
 - n) Any public works designations.

- o) Any **heritage places** and items listed in Historic Heritage Schedules 4a, 4b and the Notable Trees Schedule identified by the Plan. [PCH(a), PCH(b)]
- p) An overall development plan of the proposed new and any existing development must accompany **infill** subdivision proposals for the site.
- iii) Information on:
 - a) The availability of **utilities** for each new lot.
 - b) The stability of the new lots, including the depth and compaction of any fill and the future likelihood of earth movement or erosion.
- iv) For subdivision proposals within a Growth Precinct:
 - a) Applications must have supporting information and assessment to demonstrate how the proposed subdivision design and layout accords with the relevant Structure Plan (Appendix 9A-C).
 - b) An evaluation against the Subdivision Design Guide (Appendix 10) demonstrating that the guiding principles have been providing for in the proposed subdivision.

Note: The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health may also apply and a consent may be required under those provisions.

A1.2.4 Public Works Designations and Outline Plans [DELETED PC60]

- A) [DELETED PC60]
- B) [DELETED PC60]

A1.2.5 Further Information

- A) **Council** may, under section 92 of the Act, require applicants to supply further information which is needed to better understand:
 - i) The nature of the proposed activity,
 - ii) The effects the proposed activity may have on the **environment**, and
 - iii) The ways in which any adverse environmental effects are to be mitigated.
- B) If any significant adverse effect may result from a proposal, the **Council** may commission a report, with the report brief prepared in consultation with the applicant, for purposes which include:
 - i) Checking the accuracy, relevance and completeness of the information provided.

- ii) Reviewing any technical or operational details of the proposal.
- iii) Identifying and assessing any natural hazard or the use or storage of any hazardous substance, including measures to mitigate any potential adverse effects.
- iv) Providing information on matters such as heritage values, **amenity** or cultural considerations.

A1.2.6 Notification and Service of Applications

The following is a *guideline only*, to assist applicants and interested parties. It is not intended to limit the Council's discretion or responsibilities under Sections 93 to 94D of the Act.

- A) Any application for a resource consent for a controlled activity or a restricted discretionary activity does not need to be publicly notified.

NB- Under Section 93(1) of the Act, applications for discretionary and non-complying activities need not be notified if Council is satisfied that the adverse effects of the activity on the environment will be minor.

- B) Notice of any application for resource consent does not need to be served on affected persons in the following circumstances:

- i) The application is for a controlled activity land use or subdivision consent,
or
- ii) The application is for a restricted discretionary activity subdivision consent, except for any subdivision where Rule C1.2.1 a. vi) applies or subdivisions which do not comply with Rule C2.4.1 h. due to a failure to meet Rule B3.3.1 d. in respect of separation from a dwelling or potential dwelling on another site or
- iii) The application is for a restricted discretionary activity land use consent which concerns non-compliance with any of the following rules:
 - a) Outdoor **living courts** and **service courts**.
 - b) **Site Coverage**.
 - c) Landscaping.
 - d) Density of dwellings.
 - e) Roading Impacts (Rural zone).
 - f) Provision of verandahs in the Business zone.
 - g) Street Frontage in the Business zone.

- h) Floor Area of **Buildings** (Flood Channel zone).
- iv) The application is for a restricted discretionary activity land use consent for construction or reconstruction in central Feilding (Rule B4.4.1) and the proposal meets the design guidelines in Appendix 1H.
- v) The application is for a restricted discretionary activity land use consent for clearance, modification, harvesting or removal of indigenous vegetation (Rules B3.4 and B7.4).

NB- Under Section 94(2) of the Act, notice of any other application for resource consent does not need to be served on affected persons if all persons who, in Council’s opinion, may be adversely affected by the activity have given their written approval to the activity.

- C) Despite the above, the **Council** may, under Section 94C of the Act, publicly notify any application if an applicant requests or in special circumstances.

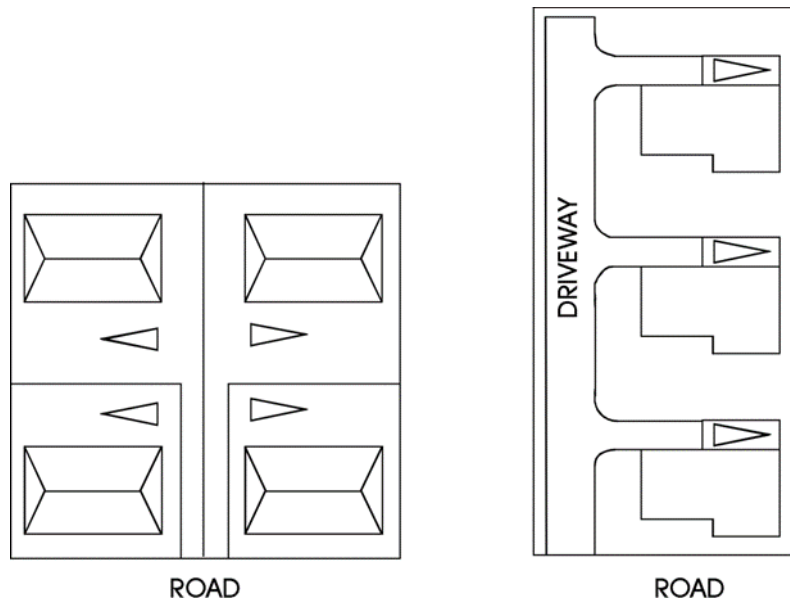
A1.3 Assessment of Applications

PAGE 8 A1.3.1 Reservation of Control - Controlled Activity Land Use Applications

- A) Relocated buildings – Refer to matters of control provided for in Rule 3G.4.1
- B) **Accessory Buildings on Front Yards** (Rules B1.2.1 and B2.2.1)
 - i) The design and appearance of the buildings. They should blend harmoniously with the main building in order to maintain the residential character of the neighbourhood.
 - ii) The construction, materials and painting of exterior surfaces, together with screen planting.
- C) Dwellings on **Sites** under 350m², and More than Two Units on a Site (Rules B1.2.1 and B2.2.1)
 - i) Separation and design of houses for visual and aural privacy, including screening, the bulk of proposed buildings in relation to neighbouring properties, and the location of open space and glazing.
 - ii) Arrangement of **yard** space, including the use of zero lot lines, common open space and room for trees and landscaping.
 - iii) The orientation, roof pitch and style, and footprint of the dwelling units, in terms of promoting a difference from other dwellings existing or proposed nearby.

The illustrations in Diagram A below show the type of development which would not be appropriate:

DIAGRAM A – NOT APPROPRIATE



D) Buildings on Land Subject to Inundation and Buildings in the Flood Channel Zones. (Rules B1.2.1 and B7.2.1).

- i) The design, construction, and location of buildings having regard to their potential effect on flood water flows.
- ii) The minimum floor level of buildings. **Non-accessory buildings** should be designed so as not to be entered by a 100-year flood (i.e. a flood event with a 1% annual probability of occurring).
- iii) The location and design of vehicular access to the building.

(Building consent may be granted subject to Section 36 of the Building Act 1991).

E) Residential and Caretakers Accommodation (Rules B4.2.1 and B5.2.1)

- i) Noise mitigation measures. The siting and construction of the accommodation shall ensure that noise received at any boundary shall be reduced by 20 dB when received in any living room and by 30 dB when received in any room used for sleeping. In the absence of forced ventilation or air-conditioning these reductions shall be achieved with any exterior windows open. This requirement does not apply to noise received at boundaries with **sites** zoned Residential or Village.
- ii) Prior to considering the application, **Council** may require an acoustic design report to be prepared by a suitably qualified and experienced person, demonstrating compliance with i) above.

F) Multiple Dwellings on Parcels of **Maori Land** (Rule B3.2.1)

- i) Adequate disposal of domestic effluent, including the standard and method of disposal.
 - ii) The extent to which the proposal complies with the Plan’s requirements for other dwellings in the Rural zone.
- G) Refuse Transfer Stations and Recycling Depots (Rule A2.5.2)
- i) Fencing and screening of the site.
 - ii) Hours of operation of facility.
 - iii) Regular removal of refuse from the site.
 - iv) Precautions to be taken against odour nuisance.
- H) **Pig Farming** (Rule B3.2.1 a.)
- i) Landscaping and screening around piggery buildings
 - ii) Mitigation of effects upon nearby properties, including potential odour nuisance.
- I) **Motor Caravan Sites** (Rule B2.2.1 a.)
- i) Location and screening of motor caravan parking.

10 A1.3.2 Reservation of Control – Controlled Activity Subdivision Applications

- A) The matters in respect of which **Council** has reserved its control are:
- i) Provision of water supply and disposal of water, wastewater and stormwater, where the design and capacity of any reticulated system reflects the new and anticipated future demand and requirements.
 - ii) The number, location and formation of vehicle crossings.
 - iii) Provision of a connected street network, with appropriate use of street hierarchy and design type, including the width, length, drainage and formation of access.
 - iv) The matters specified in Section 220 of the Act.
 - v) The size, shape and arrangement of allotments, in relation to road frontages, and location of proposed boundaries.
 - vi) The creation of appropriate easements.
 - vii) Payment of financial contributions including reserves contribution.
 - viii) Providing, forming, naming and signposting new roads.
 - ix) Preservation of existing vegetation.

- x) Provision of open space including the retirement of steep land, gully systems, connections/links with other areas, **esplanade reserves** and strips, and local reserves.
- xi) Suitability of proposed allotments for subsequent buildings and future use, including the separation of proposed building sites from high voltage electricity transmission lines.
- xii) Impact of subdivision upon future management of **natural areas, heritage places** and items listed in Historic Heritage Schedules 4a, 4b and the Notable Trees Schedule. [PCH(a), PCH(b)]
- xiii) Requiring a consent notice to be placed on the titles of newly-subdivided allotments which have no further subdivision potential under this Plan, to alert potential purchasers to that fact.
- xiv) Accordance with any relevant Structure Plan and adherence to the principles set out in the Subdivision Design Guide.
- xv) Provision of a network of cycleways and walkways to the extent that these service the subdivision and connect with the surrounding environment.
- xvi) Provision of buffers or other measure to delineate the boundary between urban and rural environments and provide separation between potentially incompatible activities.
- xvii) The extent to which connections to electricity, gas and telecommunication networks are available to service the needs of the development and/or subdivision.
- xviii) Avoidance or mitigation of flood hazards, including the assessment of the level of flood hazard risk from the waterbody and what mitigation measures are required, such as setback distances, minimum floor levels or specified building platforms.

A1.3.3 Reservation of Control - Restricted Discretionary Activities

- A) In assessing applications for restricted discretionary activities **Council** has reserved its control over matters related to the effect of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the effects of non-compliance.
- B) In assessing applications which have become restricted discretionary activities due to non-compliance with the Plan's performance standards, but which otherwise would have been controlled activities, **Council** has also reserved its control over the matters in Rules A1.3.1 or A1 1.3.2 which relate to that type of controlled activity.
- C) In relation to new **buildings** within the Inner Control Area or the Outer Control Area,

- i) The degree to which the adverse effects of aircraft noise will be mitigated through building construction methods which meet the noise insulation rating for **Schedule P, Schedule Q** or **Schedule R** as applicable, including a 5dB safety margin.
 - ii) The health, safety and amenities of occupiers of the building in relation to airport noise.
 - iii) The potential effect of residential or communal use of the building upon the continued operation and efficiency of Milson Airport, by way of pressure for curtailment of aircraft operations.
- D) [DELETED PC 55]
- E) In relation to subdivisions to provide separate titles for two or more rural dwellings which existed on a single title on 1 August 1998 (Rule C1.2 a. iii)), the degree to which the subdivision will produce individual house sites which:
- i) Have an adequate separation distance from each other and from nearby rural activities, and
 - ii) Can provide for adequate disposal of domestic effluent and stormwater.
- F) Where it is proposed to subdivide land to create new allotments within the National Grid Corridor or within an area measured 20 metres either side of the centre point of a high voltage (110kV or higher) transmission line, the subdivision design should have particular regard to the following matters:
- i) The extent to which the subdivision design mitigates the effects of the lines through the location of roads and reserves under the route of the line: and
 - ii) The ability for continued maintenance and inspections of transmission lines; and
 - iii) The minimisation of risk or injury and/or property damage from such lines; and
 - iv) The extent to which potential adverse visual effects are mitigated through the location of building platforms; and
 - v) The outcome of any consultation with the affected utility operator; and
 - vi) The extent to which any earthworks and the construction of any subsequent buildings will comply with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001); and
 - vii) The nature and location of any proposed vegetation to be planted in the vicinity of transmission lines
- G) [DELETED PC46]

- H) Dwellings and subdivision sites in the Pohangina Valley which do not comply with Rule B3.3.1 D) shall be assessed in terms of:
- a) The adverse visual effect which any future dwellings, and associated driveways and boundary plantings, would have upon the landscape of the Pohangina Valley through factors such as :
 - The visual prominence of the site.
 - Impact on the integrity of the horizontal line of the Valley’s open river terraces.
 - Compromising the open spaces and vistas which are an integral part of the Valley’s character.
 - b) The ability for these effects to be mitigated or remedied.
 - c) The likely impact upon the amenities of existing and future residents of the Valley of permitting a smaller separation distance.
- I) In assessing applications for keeping goats within 5km of the Ruahine Forest Park (Rule B3.3.1 g. iii), Council has restricted the exercise of its discretion to:
- i) The ability to confine goats upon the site
 - ii) The potential effect of goats escaping upon the natural values of the Ruahine Forest Park.
 - iii) The location of the goat keeping within the property
- J) In assessing applications for clearance, modification or harvesting of indigenous vegetation (Rules B3.4 and B7.4), Council has restricted the exercise of its discretion to the potential impact of the proposed activity upon:
- i) Areas of significant indigenous vegetation and significant habitats of indigenous fauna
 - ii) The intrinsic values of ecosystems.
- K) In assessing applications within Manfeild Park Zone, Council has restricted the exercise of its discretion to:
- the potential impact of the proposed activity upon those matters not complied with
 - the requirement to provide view shafts
 - landscaping and
 - to retain open space.

- L) In assessing applications for the Special Development Zone, Council has restricted the exercise of its discretion to:
- whether the proposed activity is ancillary to the operation of Manfeild Park
 - access arrangements
 - the requirement to provide view shafts and
 - required landscaping
- M) In assessing applications for subdivisions within any of the Growth Precincts that do not comply with the stormwater neutrality standard (Rule C2.1.1 e. or C2.3.3), Council has restricted its discretion to:
- i) The extent of post development run-off generated by the development;
 - ii) The measures used to avoid, remedy and mitigate stormwater runoff from entering the overall Feilding stormwater network;
 - iii) The availability of stormwater detention areas or conveyance opportunities on surrounding land.
- N) In assessing applications for earthworks that do not comply with Rule B1.3.5 f. iii) a), Council has restricted its discretion to:
- i) Any effects on the National Grid;
 - ii) Volume, area and location of the works, including temporary activities such as stockpiles.
 - iii) Time of works.
 - iv) Site remediation.
 - v) The use of mobile machinery near the National Grid.
 - vi) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

A1.3.4 Assessment of Discretionary Activity Applications

- A) In assessing discretionary activities Council will have regard to matters including the following:
- i) Subject to Part II of the Act, the matters specified in Section 104 of the Act.

- ii) Compliance or otherwise with standards applying to similar permitted or controlled activities.
- iii) The environmental results sought by this Plan for the zones concerned.
- iv) Any potential detraction from the **amenities** of the area through odour, smoke, noise, or other noxiousness whether from the operation itself or any ancillary aspect.
- v) The degree to which proposed buildings would detract from the visual amenities of the area.
- vi) DELETED NPS-UD 2020
- vii) Vehicle crossings shall be assessed in terms of the sight distance and driveway spacing guidelines contained in Appendix 3B.3, and the seal widening and formation standards contained in Appendix 3B.3.
- viii) Whether there is sufficient and adequate provision for the collection or disposal of solid waste, including tailings.
- ix) The degree to which any waste treatment ponds are adequately separated from other activities, taking into account topography, type of waste to be treated, wind direction, tree planting and existing vegetation and the location and number of existing and future dwellings likely to be affected by such ponds.
- x) Compliance or otherwise with any relevant NZ Standards, regulations or Industry Guidelines.
- xi) Any danger to people from hazardous goods and natural hazards, including any risk assessments, contingency plans and proposals to mitigate such hazards.
- xii) The potential possibility of any animals escaping on to adjoining properties, roads, or public places.
- xiii) Whether any exterior lighting is to be used or installed which would tend to annoy people nearby.
- xiv) The effect of the proposal on the heritage values and preservation of any place or object listed in Appendices 1A, 1B, 1E, 1F and items listed in Historic Heritage Schedules 4a, 4b and the Notable Trees Schedule, or upon the heritage significance of any **natural area** in terms of the criteria in Appendix 1I. [PCH(a), PCH(b)]
- xv) [DELETED PC65]
- xvi) Any detrimental effect of the proposal upon the operation or future development of any other existing permitted use in the vicinity. This includes whether the proposal requires a level of amenity which is incompatible with the operation and management of any such permitted use.

- xvii) Any potential adverse effects of the proposal upon the life supporting capacity of soils, or upon options for their future use, due for example to compaction, fragmentation of ownership, soil removal, coverage or risk of contamination.
- xviii) For quarrying and gravel extraction:
- a) The techniques to be used in the operation.
 - b) The likely duration of the quarrying or extraction.
 - c) Restoration and the ultimate use of the site.
 - d) Adequate set-back and separation distances from roadways and adjoining uses, for visual amenity reasons and for noise attenuation.
- xix) The degree of separation proposed between any **building** or pen housing animals and any building, boundary or road. **Council** may increase or relax the separation distance where on the grounds of public health, amenity, intensity of use, odour, visibility, noxiousness or other reasons it is appropriate to do so. The separation distances proposed by the Pork Industry Board’s Code of Practice shall be used as a guideline for assessing the adequacy of separation around any proposed **pig farming** operation.
- xx) In relation to **service stations**:
- a) The extent to which the proposal will be screened from adjacent residential uses by landscaping or fencing.
 - b) The effect of any access points on traffic safety and efficiency.
 - c) The extent to which lighting will be managed to avoid nuisance on residential properties.
 - d) Whether vehicle manoeuvring can be accommodated on site. [NPS-UD 2020]
 - e) The extent to which **signs** comply with general controls in the zone concerned.
 - f) The adequacy of proposals to collect and deal with potentially contaminated stormwater.
 - g) The extent to which the proposal is likely to have an effect on the amenities sought by the objective for the zone concerned.
- xxi) In relation to **industries** in the Business zone:
- a) The nature and scale of the proposed use having regard to the long term use of the site for central area commercial development.
 - b) The design and layout of any new building, and its ability to be refurbished for future commercial use.

- xxii) In relation to additions or alterations to **buildings** within the Air Noise Area, the degree to which the adverse effects of aircraft noise will be mitigated through building construction methods to achieve a satisfactory internal noise environment.
- xxiii) In relation to new buildings within the Inner Control Area or the Outer Control Area, the degree to which the adverse effects of aircraft noise will be mitigated through building construction methods which meet the following noise insulation ratings plus a 5dBA safety margin:
- Buildings to which Appendix 3A - **Schedule P** applies - 20 decibels
- Buildings to which Appendix 3A - **Schedule Q** applies - 25 decibels
- Buildings to which Appendix 3A - **Schedule R** applies - 30 decibels
- xxiv) In relation to the rural subdivisions listed as a discretionary activity under Rule C1.3.1 a. ii):
- a) The need to provide a degree of separation between future dwellings by maintaining a minimum allotment size of around 4000m².
 - b) The need for such allotments to still meet the standards in Rules C2.4.1 f. to k. (inclusive).
 - c) The effect of the proposed subdivision on potential future urban growth, including the feasibility of future roading patterns.
- xxv) [DELETED PC 55]
- xxvi) In relation to Rural and Flood Channel zone subdivisions in the coastal area under Rule C1.3.1 a. iii):
- a) The potential for natural hazards, including sand inundation, erosion and the possibility of future sea level rise.
 - b) Potential impacts upon the natural character and landscape values of the coastal area, including the ecological value of the Rangitikei River estuary, and upon any **heritage places**.
 - c) River control and drainage limitations, and the need to satisfactorily dispose of domestic effluent.
 - d) The need to still comply with the Plan’s averaging formula for rural allotments.
- xxvii) In relation to access, where common access to eight or more dwellings is to be provided, this access must be a new legal road, to be formed to Council’s standards.
- xxviii) [DELETED PC 55]

- xxix) In relation to subdivisions within any of the Growth Precincts, that do not comply with the minimum lot size and/or minimum lot frontage standard in Rule C2.1.1 a., the
- a) The extent of non-compliance.
 - b) The design and outcome of the proposed residential block layout and local street network, including:
 - The recognition of the topographic and physical features of the site and surrounds;
 - The provision of open space including retirement of steep hillsides, gully systems, esplanade reserves and local purpose reserves;
 - The use of residential density that integrates into the landscape;
 - The extent of through roads within the subdivision and linkages within the Growth Precinct; and
 - The level of accessibility for future lot owners.
 - c) The character and amenity anticipated by the subdivision design using positive features of established urban areas.
 - d) The ability of larger lots (2,000m² and greater) to be further subdivided in the future to a size and form that creates good quality outcomes.
 - e) The provision of infrastructure and roading networks, for the current and anticipated future demand, including future intensification if larger lots are created.

RULE A2 - RULES APPLYING THROUGHOUT THE DISTRICT

NB – Words outlined in bold type in the District Rules have a specific definition contained in Rule.

A2.1 Non-Complying Activities

Any subdivision or land use activity which is not categorised by this Plan as being a permitted, controlled, discretionary, restricted discretionary, or prohibited activity shall be a non-complying activity.

A2.2 Temporary Activities

A2.2.1 Definition

A) For the purpose of this rule “temporary activity” means any short-term use of land for any of the following purposes:

- i) [DELETED PC 55]
- ii) [DELETED PC 55]
- iii) [DELETED PC 55]
- iv) [DELETED PC 55]
- v) [DELETED PC 55]
- vi) [DELETED PC 55]
- vii) [DELETED PC 55]
- viii) [DELETED PC 55]
- ix) Military training activities.
- x) [DELETED PC 55]
- xi) [DELETED PC 55]
- xii) [DELETED PC 55]
- xiii) [DELETED PC 55]
- xiv) [DELETED PC 55]

A2.2.2 Permitted Activities

Temporary activities shall be permitted activities in all zones, provided that they comply with the standards in Rule 2.2.3 below.

A2.2.3 Standards for Permitted Activities

- A) [DELETED PC 55]
- B) [DELETED PC 55]
- C) [DELETED PC 55]
- D) Temporary **buildings** (including tents, mobile homes and prefabricated buildings) must:
 - be readily moveable and
 - meet any **yard** requirements of this Plan and
 - must be removed from the site within 6 months of the commencement of the activity and
 - not occupy a site for more than one 6 month period in any 12 months.
- E) [DELETED PC 55]
- F) [DELETED PC 55]
- G) [DELETED PC 55]

A2.2.4 Discretionary Activities

- A) Any permitted activity specified above which does not comply with any of the relevant standards in Rule 2.2.3 above shall be a discretionary activity.
- B) The matters set out in Rule A1.3.4 will be taken into account in assessing applications for discretionary activities.

A2.3 [DELETED PC 46]

A2.4 [DELETED PC 55]

A2.5 [DELETED PC 55]

A2.6 Surface Water Activities

(Refer Chapter 4.9)

A2.6.1 Permitted Activities

- A) All recreational and boating activities other than those listed as discretionary activities shall be permitted activities on the District’s lakes and rivers, provided that they meet the standard below.
- B) No person shall cause excessive noise by accelerating or racing the engine of a motorised craft while the craft is stationary.

A2.6.2 Standard for Permitted Activities

- A) No motorised craft on the surface of a lake or river shall cause excessive noise due to the lack of a silencing device, the disrepair of the engine, or the construction or condition of any part of the craft or its machinery.

A2.6.3 Discretionary Activities

- A) The following shall be discretionary activities:
 - i) Sites for competitions involving motorised craft and held more than twice per year.
- B) The matters set out in Rule A1.3.4 will be taken into account in assessing discretionary activities.

A2.7 Bylaws

A2.7.1 District Rules to Prevail Over Bylaws

- A) Where any Rule in this Plan is inconsistent with the provisions of any bylaw, the provisions of the Rule shall prevail.

A2.8 Designations And Roads [Deleted PC 60]

A2.8.1 Public Works Designations [DELETED PC 60]

A2.8.2 Zoning of Roads [DELETED PC 60]